



March 2, 2013

To the Justices of the Supreme Court of Texas:

RECEIVED
IN SUPREME COURT
OF TEXAS
FEB 11 2013
BLAKE HAWTHORNE, Clerk
By _____ Deputy

I am writing in reference to Case 11-0265, "The Episcopal Diocese of Forth Worth *et al*, v. The Episcopal Church, *et al*." I am writing, furthermore, purely as an individual, without consultation with any of the parties in this case.

I simply want to bring to your attention actions on the part of the Appellees that I believe ought to be of concern to you.

I write as one of the authors and signers of an Amicus Brief in this case, presented by the Anglican Communion Institute, and signed as well by several bishops of the Episcopal Church. I have no interest in this case or in its disposition other than with regard to the matters in the Brief, as they touch disputes over the Episcopal Church's constitution. That was every my only interest, and it remains so. I do not care who gets the property.

But I do not like being punished for this.

Following the filing of our amicus brief, the Appellees set in motion a process within the Episcopal Church to discipline both the bishops and clergy signers (including myself). It is a process that alleges we have violated canons of our church simply by filing this brief, and by making the arguments we did. The complaints lodged by the Appellees have resulted in formal disciplinary charges against the bishops who signed the amicus brief – still being debated although being directed by some of the Appellees themselves!; and with respect to the two priests, including myself, complaints with our dioceses (Texas and Colorado respectively), open cases where charges may yet be filed. These complaints and charges against us have already resulted in thousands of dollars being spent in legal fees, and they retain the potential consequences of altering our status as clergy and affecting our pensions.

I repeat that I have no personal interest in the disposition of this case; I am in fact a priest of the Episcopal church (although teaching in Canada right now), and intend to remain so. But the actions of the Appellees amount, as far as I can see, to intimidation and vindictive behavior against citizens who are honestly and disinterestedly engaging in sharing their expertise with the court. I believe you should be aware of this.

Sincerely,

The Rev. Dr. Ephraim Radner
Professor of Historical Theology
Wycliffe College at the University of Toronto